



**City of St. Helena  
Parks & Recreation Commission  
Regular Meeting  
Monday, July 17 @ 5:30pm  
Carnegie Building - Second Floor  
1360 Oak Avenue**

**PLEASE NOTE:** Any person who wishes to speak regarding an item on the agenda or make a comment under the "Public Forum" portion of the agenda may do so, but please observe the time limit of four minutes.

Simultaneous Spanish interpretation services during meetings can be scheduled upon request. To ensure interpreters are available, requests must be made at least 72 hours in advance by calling the Office of the City Clerk at (707) 968-2640 or emailing [cityclerk@cityofstheleena.org](mailto:cityclerk@cityofstheleena.org).

The schedule of upcoming meetings and published meeting agendas can be found on the City of St. Helena website at [/portal/](#).

Servicios de interpretación en español durante la reunión pueden ser solicitados por el público. Para asegurar que los intérpretes estén disponibles, los servicios tienen que ser solicitados al menos 72 horas antes de la reunión llamando a la oficina de la Secretaria de la Ciudad al (707) 968-2640 o por correo electrónico a [cityclerk@cityofstheleena.org](mailto:cityclerk@cityofstheleena.org).

El horario de las reuniones publicadas y próximas puede ser localizado en el sitio de web de la Ciudad en [/portal/](#).

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1. CALL TO ORDER
2. ROLL CALL  
Commission Chair: Michelle Deasy  
Members: Jim Anderson, Courtney Andrain, Doug Boesch, Tye Taylor  
City Council Member Liaison: Billy Summers  
Staff Liaison: Dave Jahns, Parks and Recreation Director
3. PUBLIC FORUM:  
An opportunity for the public to directly address the Commission on items of interest to the public that are not listed on the agenda. Any person addressing the Commission should provide his or her name and address, and limit comments to four minutes. Because of restrictions imposed by **the Brown Act, the Commission may not engage in substantive discussion, nor take action on matters not described on the agenda.**
4. REPORTS BY STAFF AND COMMISSION  
Reports by staff and/or commission on items of general interest. Brief questions for clarification may be posed and answered, and Commission may request that items be placed on a future agenda. Except under certain circumstances, **the Brown Act prohibits any other discussion or action by the Parks and Recreation Commission.**
  - 4.1. Welcome New Commissioners
    - Jim Anderson
    - Courtney Andrain

- 4.2. City Staff
  - Parks Maintenance Update
  - Recreation Services Update
- 4.3. Commissioners Update
- 4.4. City Council Liaison Update
- 5. CONSENT CALENDAR:  
Members of the Parks and Recreation Commission or the public may ask that any items be considered individually for purposes of considering alternative action, for extended discussion, or for public comment. Unless that is done, on motion may be used to adopt all recommendation actions.
  - 5.1. Parks and Recreation Commission Meeting Minutes of June 19, 2023 3 - 5  
[Draft Minutes June 19 Meeting](#)
- 6. SCHEDULED MATTERS:
  - 6.1. Elect Chair and Vice Chair for the 2023-24 Term
    - Action Item
  - 6.2. Receive an Update on Process and the Commission's Role in Reviewing and Supporting Future Public Art Donations and Installations 6 - 22
    - Discussion Item[Public Art Donation and Installation Policy Sample](#)  
[Public Art Donation and Installation Application Sample](#)  
[Acceptance of Donations to the City Policy](#)
  - 6.3. Review Ad-hoc Subcommittees and Park Assignments 23 - 24  
[PRC 2022-23 Goals and Committee Assignments](#)  
[PRC 2022-23 Park Assignments](#)

7. ADJOURNMENT

The next regular Parks and Recreation Commission meeting is scheduled for August 21, 2023 at 5:30 pm, Carnegie Building, 1360 Oak Avenue.

This agenda was posted at City Hall, 1088 College Avenue and 1360 Oak Avenue on July 14, 2023.

/s/ Dave Jahns

Dave Jahns, Parks & Recreation Director

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the meeting, please contact City Hall at (707) 967-2792. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR35.102-35.104 ADA Title II). However, City staff will attempt to assist at any time with accessibility.

**City of St. Helena  
Parks and Recreation Commission  
Regular Meeting  
June 19, 2023**

**Meeting Minutes**

**1. Call to Order 5:36 pm**

**2. Roll Call**

The following were present:

- Chair: Michelle Deasy (arrived after roll call)
- Vice Chair: Matthew Demchuk
- Members: Doug Boesch, Tye Taylor
- Staff: Parks & Recreation Director Dave Jahns
- Absent: Rebekah Weeman, Councilmember, Billy Summers

**3. Public Forum – None**

**4. Reports by Staff and Commission**

4.1 – City Staff Update

- Parks Maintenance Update
  - Report provided by Operations Manager, Clayton Church
  - Crane Park: Crane Park baseball field maintenance and enhancements (fertilized, irrigation tune-up, weeding, mowing. Farmer's Market preparation, supporting pickleball installation
  - Lyman Park – Preparations for 4<sup>th</sup> of July and Summer Concerts. Replacement of tot lot playground replacement
  - Lewis Station – Working on a dedication plaque and ceremony commemorating Rosalie Lewis. Pavers, landscaping and irrigation complete
  - Baldwin Park – Irrigation tune-up complete
  - Meily Park – Playground safety inspections and tune-ups completed.
  - Wappo Park – Addressed fox tails in dog park, repaired water fountain, weeding and maintain surrounding pathways.
  - Manager Church identified that he would be the regular representative at the commission meetings moving forward.
  - Commissioner Demchuk inquired about graffiti near footbridge along main street.
- Recreation Services Update
  - Director Jahns provided report on recreation programs and notable activities since last meeting.
    - Included update on Community Soccer Night, summer camp programs, adult sports, open gym opportunities
    - Update on pickleball court resurfacing project
    - Update on staff planning for 4<sup>th</sup> of July Festivities
    - Update on staff's role for implementation of 2023 Summer Concert Series

#### 4.2 – Commissioners Update

- Commissioner Demchuk announced this will be his final meeting as a member of the Parks and Recreation Commission. Expressed his gratitude to the other commissioners.
- Commissioner Taylor provided an update on observations Baldwin Park – more weeding needed, new parks sign, fence replacement partially replaced, irrigation upgrades, water fountain running a little low, older picnic tables in need of removal
- Commissioner Taylor provided an update on observations at Mary Fryer Park – sealing needed on pathways, work being completed on river fence line, cactus is overgrown near back entrance.
- Commissioner Taylor provided an update on observations at Mennen Park – turf looks great, water fountain not functional.
- Commissioner Boeshcen provided an update on observations at Crane Park (West) – Some trash around tennis courts, would like to see overall entrance improvements to ballpark entrance area.
- Commissioner Deasy inquired about budget for preventative maintenance and unexpected repairs.

#### 4.3 – City Council Liaison Update

- N/A

### 5. Consent Calendar

#### 5.1–Meeting Minutes of May 15, 2023

- Motion to approve: Demchuk; Boesch: 2nd
  - Approved: Unanimous

### 6. Scheduled Matters

#### 6.1 – Discuss Commission’s role in reviewing and supporting public art donations, installations, and community initiatives

- Staff provided overview of current status of public art – no official process in place to govern or support placement of art on public property.
- Staff and commission discussed commission’s interest and comfortability supporting future art proposals.
- Commission is supportive of reviewing and making recommendations on future proposed public art pieces. Would look for advice and technical support of experts within the community in certain instances.
- Commission recommended the creation of an on-call panel of experts to help with certain proposals.
- Public Comment provided by Susann Ortega – Beautification Foundation is working with City staff on potential donation of a few sculptures from a private donor.
- Staff will provide an update the proposed public art placement process at the July commission meeting.

#### 6.2 – Discuss creating and consider future adoption of a commission equity and welcoming statement

- Presented by Chair Deasy

- Shared previous community conversations both with the ad-hoc committee and City Officials
- Interested in seeing the commission and/or department adopt a statement to encourage that all are welcome and encouraged to participate.
- Should be in alignment with Department's existing mission and tag lines.
- Director Jahns shared that Parks and Recreation Department staff will be reviewing and updating existing mission statement and goals
- Commission recommended letting staff draft a future mission statement with welcoming and equity elements incorporated. Commission will review and provide support, as needed, in forming a statement.
- Equitable Recreation subcommittee will support the process.

#### 6.3 – Update on Ad-Hoc Subcommittees

- Chair Deasy shared update on trails committee and meeting with City Manager and staff
- Commissioner Taylor shared that he and Commissioner Weeman completed a walkthrough of Baldwin. Would like to see park brought up to a certain standard before park will be ready for an additional improvement project.
- Commissioner Demchuk would like to see work to support teen programming and events continue into the future year. Willing to help support that work after stepping down from the Commission.
- Subcommittee and project list will be reviewed and updated at July and August meetings.

#### 6.4 – Recognition of outgoing Commissioners

- Staff and commission recognized and thanked Commissioners Demchuk and Weeman for the dedication and time to the Parks and Recreation Commission and community
  - Commissioner Demchuk served on the commission from 2015-2023
  - Commissioner Weeman served on the commission from 2019 - 2023

#### Requests for items to add to future agendas:

- N/A

#### 7. Adjournment

Meeting Adjourned: 7:38pm

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Michelle Deasy, Chair

\_\_\_\_\_  
Dave Jahns, Parks & Recreation Director

**CITY OF ST. HELENA PUBLIC ART  
DONATION AND INSTALLATION  
PILOT PROGRAM**



**I. PURPOSE**

The City of St. Helena (City) supports the placement of artwork in public places, recognizing the value of public art to our residents and visitors alike. The City recognizes that art provides cultural and economic benefits for residents and visitors. Therefore, it is important to promote, support and increase the creation of public art displays within the City of St. Helena to provide an opportunity for personal and community reflection, promote the City's attributes and enhance its image for the enjoyment and benefit of the residents, businesses, employees and visitors.

**II. OVERVIEW**

This pilot program provides a process for approval of donated public artwork that will be donated or funded through private, donation or grant, and are proposed to be installed in public spaces, City buildings and rights-of-way. This includes, but is not limited to, community initiated public art projects where a commercial property owner, artist, member of the public, a neighborhood group or other community organization and/or private donor who submit proposed installations of works of art.

The Parks and Recreation Commission will be the responsible entity for approving specific artwork/projects and may, from time to time, seek outside expertise to assist with its decisions. The purpose of these guidelines are to create a framework for both the donor and commission to follow in the application and review process including:

1. Procedures to review offers of artwork placement and maintenance
2. Criteria for artwork selection, location, and site selection
3. Process for removal or deaccession of artwork

Specific submittal requirements for proposed artwork/projects will be included with the application packet provided by the Parks and Recreation Department. All completed applications are to be submitted to the Director of Parks and Recreation for initial review and recommendation to the Parks and Recreation Commission. Proposals of artwork/projects on which do not receive Commission approval, may be appealed to the City Council if rejected by the Commission.

**III. DEFINITIONS**

- A. Artist - An individual generally recognized by critics and peers as a professional practitioner of the visual arts as judged by the quality of the professional practitioner's body of work, educational background, experience, past public commissions, sale of works, exhibition record, publications, and production of Artwork.
- B. Public Artwork - Any artwork which is publicly visible in a City-owned or managed space that is intended to enrich the public environment for both City residents and visitors. Artwork shall include, but not be limited to, sculptures, murals, paintings, graphic arts, mosaics, photography, crafts, mixed media, and environmental works.
- C. Donor - The terms "donor", "donate" and all derivations thereof (e.g., donation, donated, etc.) shall refer to the act of, and/or person responsible for, submitting proposal(s) for placement of Public Artwork in a Public Place, pursuant to this Policy and includes any form of proposal, including without limitation a proposed sale, lease, loan, license, gift,

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bequest, assignment or consignment, or as may otherwise be applicable for a given proposal.

- D. Public Place – Any City-owned or managed structure or open space that is visible or accessible from a public right of way, such as sidewalks, streetscapes, plazas, parks, buildings, bridges, waterways, parking garages, and recreational facilities. This policy shall govern public artwork in the following public places:
- City-owned or leased parks;
  - City-owned or leased open building and facilities;
  - City managed right of ways;
  - City-owned or leased pathway or trail system.

#### IV. ROLES AND RESPONSIBILITIES

##### A. Parks and Recreation Department Staff:

1. Oversee and manage the ongoing operation of Placement of Public Art Program
2. Propose, review and make recommendations to the Parks & Recreation Commission regarding all artwork/projects that meet the pilot program's criteria;
3. Present appeals to the City Council for proposed artwork/projects that are rejected by the Commission.

##### B. Parks and Recreation Commission:

1. Review and approve or reject artwork/projects through public meetings to obtain input from the community;
2. Periodically review and make modifications, as necessary, to these guidelines used to implement and administer the program.

##### C. City Council:

1. Consider appeals of proposed non-City funded artwork/projects on public or private spaces, as defined under IV above, rejected or approved by the Parks and Recreation Commission.

##### D. Other City Departments:

1. Provide assistance as needed to implement the program and complete the approved artwork/projects. The types of assistance that may be provided include but are not limited to: technical advice, assistance with permits, policy enforcement and coordinating installations/removals of artwork.

##### E. Artists/Donors/Community Organizers:

1. Submit all materials requested on the application.
2. Conduct necessary research, attend meetings, participate in presentations, and make site visits when necessary.
3. Work closely with Staff and others involved in the artwork/project to help coordinate outreach, installation, and maintenance/repairs as stipulated in agreement with City staff.
4. Grant the City of St. Helena ownership of the piece in accordance with the City of St. Helena's Donation Policy
5. Provide proper insurance (when deemed necessary) as stipulated by the City of St. Helena's administrative services department.
6. Adhere to all other conditions as agreed upon and stipulated within the agreement

#### V. APPLICATION PROCESS

- ##### A. Initiation of Proposed Projects/Artwork – Artists, donors, community organizers

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and/or others interested in collaborating on a public artwork/project may submit proposals for consideration or donation. Interested parties should submit a letter or email of intent to the Parks and Recreation Director by emailing [recreation@cityofstheleena.org](mailto:recreation@cityofstheleena.org) or mailing a proposal to 1574 Railroad Ave, St. Helena CA 94574. Initial outreach should include details of artwork being proposed and requested location. Completed applications are helpful, but not required at the initial outreach.

- B. Application – Once deemed potentially feasible by the Parks & Recreation Department,** the Artists, donors, community organizers and/or others interested in collaborating on a public artwork/project shall submit a completed application public art and/or associated gift or donation to the Parks and Community Services Department. The application form will be due at the time of submission to the Parks and Recreation Department for initial screening and evaluation, using the considerations and eligibility requirements outlined below. Applications may be routed to other departments and City administrative staff for additional review.
- C. Parks and Recreation Commission Review** – The Parks and Recreation Commission will approve or reject proposals based on the established considerations within these Guidelines. This process will take place in an open forum during a scheduled Parks and Recreation Commission meeting. Prior to, or during that meeting, the commission reserves the right to request assistance from established artists and/or creative professionals appointed as part of a Technical Assistance Panel (TAP). This panel will be selected and made known to applicant and commissioners prior to the public meeting.
- D. Appeals** - If applicable, City Council will consider appeals for artworks/projects not approved by Parks and Recreation Commission.

**VI. ARTWORK/PROJECT CONSIDERATIONS, ELIGIBILITY REQUIREMENTS AND STANDARDS**

All projects and artwork considered through the City of St. Helena Art in Public Spaces Program, shall be reviewed utilizing the following considerations, eligibility requirements and standards.

- A. General Artwork/Project Considerations** - All proposals will be evaluated using the considerations listed below:
  1. **Qualifications:** Artists qualifications as demonstrated by past work and the appropriateness of their concepts to the particular project.
  2. **Quality:** Of highest priority are the design capabilities of the Artist and the inherent quality of Artwork.
  3. **Artistic Value:** Public artwork shall have a recognized aesthetic value.
  4. **Media:** All forms of visual arts should be considered.
  5. **Style:** Artists whose artworks are representative of all mediums, styles and tastes shall be considered.
  6. **Appropriateness to Site:** Artwork designs shall be appropriate in scale, material, form and content to their immediate social and physical environments.
  7. **Size and Weight of Artwork:** Public Artwork shall be of appropriate and suitable

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weight to sustain interaction with the public.

8. Community Enhancement: Artworks should address a commitment to enhancing public spaces, creating a sense of place and giving character to neighborhoods.
  9. Permanence: Consideration shall be given to structural and surface integrity, permanence and protection of the proposed artwork against theft, vandalism, weather, excessive maintenance and repair costs.
  10. Elements of Design: Consideration shall be given to the fact that Public Artwork is a genre that is created in a public context and that must be judged by standards that include factors in addition to aesthetic value. Public Artwork may also serve to establish focal points; terminate areas; modify, enhance or define specific spaces; establish identity; or address specific issues of urban design.
  11. Community Values: While free artistic expression shall be encouraged, consideration must be given to the appropriateness of Artwork in the context of local community and social values.
  12. Public Liability: Safety conditions or factors that may bear on public liability must be considered in selecting an Artist or Public Artwork.
  13. Diversity: Public Artwork shall strive for diversity of style, scale, media and artists.
  14. Maintenance: Consideration shall be given to the type and scope of maintenance necessary to preserve the Public Artwork in a Public Place.
- B. Site/Placement Considerations – May include public spaces, rights-of- way or City facilities. The following will be used when evaluating and selecting site/placement and will include, but may not be limited to:
1. Installation: The Artwork shall be able to be properly installed in a Public Place where it can be viewed by the public in a safe manner.
  2. Location: The Artwork shall be compatible with the design and location of the Public Place. The Artwork shall also be compatible with the historical character of the site as well as the preservation and integration of the natural features of the Artwork.
  3. Site Infrastructure: The Artwork shall be compatible with the site infrastructure including, but not limited to, landscaping, drainage, grading, lighting and seating.
  4. Impacts: The Artwork shall be compatible with adjacent property owners' views and uses of their property and City operations. Consideration shall be given to noise, sound, and light of the Artwork.
  5. Accessibility: The Artwork shall comply with American with Disabilities requirements in addition to related federal, state and local codes.

**VII. DEACCESSION OF ARTWORK/PROJECTS FROM THE CITY OF WATSONVILLE ART COLLECTION**

The process for the removal, sale, relocation, and/or disposal of public works of art in the City of St. Helena art collection, including removal of the artwork from its public site may be considered for deaccession under the following conditions:

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- Security - the condition or security of the artwork cannot be reasonably guaranteed.
- Theft - all stolen artworks will be documented through an official police report and a report prepared by the agency responsible for the site of loss.
- Damage beyond repair - the work has been damaged beyond repair, damaged to the extent that it no longer represents the artist's intent, or damaged to the extent that the expenses of restoration and repair is found to exceed current market value of the artwork. In the event the artwork is damaged, staff will prepare a report that documents the original cost of the artwork, estimated market value, and the estimated cost of repair.
- Loss of site - Every attempt will be made to find a suitable location for every artwork in the City's art collection; however, lack of siting or proper storage could merit deaccessioning.
- Site alteration - for site-integrated artwork, if the site for which a piece of artwork was specifically created is structurally damaged or otherwise altered so that it can no longer accommodate the work, or if the piece is made publicly inaccessible by a change in its surrounding environment such as new construction or demolition, that artwork may be considered for deaccession.
- Temporary placement - the artwork was purchased as a semi-permanent acquisition and the city's obligation is terminated.
- Safety - the artwork endangers public safety.

In the event that works of art are threatened by any of the above criteria, staff will prepare a recommendation for deaccession of artwork from the City's Art Collection for review, evaluation, and action by the Parks and Recreation Commission and if necessary, City Council.

Artists whose work is being considered for deaccession shall be formally notified by mail using the current address of record originally provided by the artist.

The Parks and Recreation Commission's action regarding deaccessioned artwork will be transmitted to the City Manager's Office.

#### **VIII. SPECIAL PROCEDURES FOR HISTORIC SITES AND PROPERTIES**

When public art is part of a designated local historic site or property undergoing remodeling, or public art is considered for a designated local historic site or property, the following tasks and procedures are necessary:

- The Scope of Work for potential artworks being placed in, or part of, a designated historical space shall be developed with the input of the Community Development Department.
- Artists, donors, or community organizers shall research the historical, architectural, cultural and social character of the site or property to develop an understanding of the historical context.
- Public artists shall work with City Staff as necessary, to identify principles that balance preserving and reinforcing the prominent features of a site or property with adding vital new public art component(s).

#### **IX. ADDITIONAL CONSIDERATIONS**

- A. Artistic Freedom of Expression -The City recognizes that free expression is crucial to making of works of Artwork of enduring quality. At the same time, artwork must be

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responsive to its immediate site in community settings, its relatively permanent nature and the sources of its funding. It is the policy of the City to encourage free expression by artists consistent with due consideration of the value, aspirations, and goods of the City.

- B. Non-Discrimination -The City recognizes that cultural and ethnic diversity is essential in programs sponsored by the City and seeks to be inclusive in all aspects. The City will not discriminate against any artist or donor based on race, gender, ethnicity, age, socio-economic class, religion, sexual orientation, skills and abilities, and politics among other qualities.
- C. Compliance with Laws - The City reserves the right to require that placement of Artwork in a Public Place comply with all applicable laws of California and the United States.

**CITY OF ST. HELENA PUBLIC ART DONATION AND  
INSTALLATION APPLICATION**



**Date:** \_\_\_\_\_ **Project Location:** \_\_\_\_\_

|                                                       |                                                                                                                                                                                                 |
|-------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Applicant Name:</b>                                | <b>Applicant is the (check one):</b><br><input type="checkbox"/> Artwork Owner <input type="checkbox"/> Artist<br><input type="checkbox"/> Non-Profit Rep <input type="checkbox"/> Other: _____ |
| <b>Property Owner Name (if other than applicant):</b> | <b>Community Organization Name (if applicable):</b>                                                                                                                                             |

**APPLICANT'S SIGNATURE:** By signing below I certify that the information provided in this application is true and correct; and I have read and understand the Application Submittal Requirements; I accept and will abide by the qualifications, terms and conditions set forth in this application, the City of St. Helena, and by the Parks and Recreation Commission.

Name: \_\_\_\_\_ Tax ID#: \_\_\_\_\_  
 Address: \_\_\_\_\_ Phone #: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**ARTWORK OWNER (S)' SIGNATURES** (attach additional sheets if necessary): By signing below I/We certify that the information provided with this application is true and correct and I/We are the owner(s) of the property located at the above mentioned project address and to the best of my/our knowledge, there are no current code enforcement issues on this property; I/We have read and understand the Application Submittal Requirements; I/We authorize the applicant listed above to apply for Commission approval and complete the work that is approved and will accept and abide by the conditions set forth in this application, the City of St. Helena, and by the Parks and Recreation Commission; and I/We hereby consent to the performance of the work at the project address listed above.

Name: \_\_\_\_\_ Tax ID#: \_\_\_\_\_  
 Address: \_\_\_\_\_ Phone #: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ Tax ID#: \_\_\_\_\_  
 Address: \_\_\_\_\_ Phone #: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**SUBMIT** your completed application and required materials to the Parks and Recreation Department at the address below. You will be notified of the date and time the Commission will meet to review your submittal. Your attendance at the meeting is not required but is highly recommended. If you need help with the application or have questions, contact Parks and Recreation Department staff by calling (707) 968-9222.

St. Helena Parks and Recreation Department  
 1574 Railroad Avenue St. Helena, CA 94574 (707) 968-9222

**CITY OF ST. HELENA PUBLIC ART DONATION AND  
INSTALLATION APPLICATION**

**APPLICATION INSTRUCTIONS:** In addition to the completed application, your submittal must include, but may not be limited to, the following information:

1. Color Images of the proposed art piece
2. Written description of proposed artwork, including but not limited to:
  - a. Dimensions;
  - b. Weight;
  - c. Materials
  - d. Installation process;
  - e. Expected life span;
  - f. Maintenance plan (include person(s) responsible for ensuring the upkeep, both financially and physically); and
  - g. Other physical characteristics or requirements.
3. Sketch or map showing where proposed artwork will be located.

**For those applicants seeking assistance from the City, your submittal must also include, but may not be limited to:**

- 1) Detailed budget, including all costs associated with the design, creation, installation and maintenance of the proposed artwork and funding sources.
- 2) Written narrative indicating amount of assistance requested and how it will be utilized.

**For those applicants seeking approval to locate artwork on public property, rights-of-way or in City buildings, your submittal must also include, but may not be limited to:**

- 1) Resume of person(s) who will design, create, and/or perform installation. If more than one person is involved, indicate who is responsible for overseeing the entire process. Resume must include, at minimum, artist's name, contact information, qualifications, past experience, and references.
- 2) Project timeline.

**NOTE:** Execution of an Artwork and/or Owner Agreement will be required for artwork/projects.

|                                                                                   |                                                       |                                               |
|-----------------------------------------------------------------------------------|-------------------------------------------------------|-----------------------------------------------|
|  | <b>City of St. Helena</b><br><b>Policy</b><br>Finance | Policy<br><b>Donation Policy</b><br>P-FI-0020 |
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|                                                                                          |                            |                                    |
|------------------------------------------------------------------------------------------|----------------------------|------------------------------------|
| <b>Title:</b><br><b>Acceptance of Donations<br/>and Charitable Gifts to the<br/>City</b> | <b>Policy #</b>            | P-FI-0020                          |
|                                                                                          | <b>Revision #</b>          | Release                            |
|                                                                                          | <b>Implementation Date</b> | 2020-11-25                         |
|                                                                                          | <b>Last Update Date</b>    | 2020-11-24                         |
| <b>Approval by City Council</b>                                                          | Resolution 2020-118        | <b>Date Approved</b><br>2020-11-24 |

### **I. Purpose, Overview, and Scope of this Policy**

The purpose of this Policy (the “Donation Policy”) is to establish a policy that is consistent with the City’s strategic goals for accepting donations in a transparent and accountable manner from individuals, community groups, and businesses wishing to make donations to the City. This policy establishes uniform criteria and procedures to guide the review and acceptance of such donations, confirm the City has adequate resources to administer such donations, and ensure that the City appropriately acknowledges the generosity of the donor. The City may accept or reject any gift or donation.

This policy does not replace reportable gift reporting as required under the Political Reform Act as outlined in California Government Code sections 91000-91014. The Fair Political Practices Commission (FPPC) requires all public officials and reporting employees to file a “Conflict of Interest Statement,” known as Form 700. Nor does this Policy replace City Council Standards of Conduct as adopted in the *City Council Rules of Procedure for the Conduct of Council Meetings and Standard of Conduct*.

### **II. Authority**

Updates to this policy require City Council approval.

### **III. Policy**

#### **1. DEFINITIONS.**

- A. City or City of St. Helena shall mean and include the City of St. Helena, and any other affiliated agency created or activated by the City of St. Helena City Council, and any departments, boards and commissions thereof.
- B. City Manager means the City Manager or their designee.
- C. City Official shall mean every elected official, officer, agent, and employee of the City who is obligated to file an Annual Statement of Economic Interests (FPPC Form 700) under state law or the City’s current conflict of interest code.
- D. City Venue shall mean and refer to any facility owned, controlled, or operated by the City.

P-FI-0020

|                                                                                   |                                                                               |                                                                       |
|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------|-----------------------------------------------------------------------|
|  | <p align="center"><b>City of St. Helena</b><br/><b>Policy</b><br/>Finance</p> | <p align="center">Policy<br/><b>Donation Policy</b><br/>P-FI-0020</p> |
|                                                                                   |                                                                               | <p align="center"><b>Page 2 of 9</b></p>                              |

- E. Designated Donation shall mean monetary donations whose expenditure is restricted to a Donor-specified purpose, which may identify a particular City department, program, project, or other purpose as the beneficiary of the donation. For example: such donations may include the funds directed to support a public art initiative or support construction of a skate park.
- F. Donation or Gift shall mean a monetary contribution, personal property, real property, equipment, or any other asset that the City has accepted and for which the donor has not received any legal consideration in return. For the purposes of this Policy, the terms “donation” and “gift” shall be synonymous.
- G. Donor shall mean a person or legal entity that proposes to provide a donation to the City.
- H. Endowment shall mean monetary donations that are restricted by the respective donor to the extent that only earnings, and not principal, may be expended by the City for the donor’s designated or intended purposes. Such donations are restricted donations in the sense that the donor-specified purpose is to preserve the corpus of the initial donation.
- I. FPPC shall mean and refer to the California Fair Political Practices Commission.
- J. Memorial is an item, object, or monument established to preserve the memory of a deceased person(s) or an event that occurred in the past.
- K. Tribute shall mean an item, object, or gift designated to acknowledge the contributions of living people to society.
- L. Undesignated Donation shall mean a donation made to the City by a donor without limitations or restrictions being placed upon its use.

## 2. TYPES OF DONATIONS.

- A. Donations may be offered in the form of cash, real or personal property, or in-lieu contributions.
- B. Designated donations are those donations that the donor specified for a particular City department, location, or purpose.
- C. Undesignated donations are those donations that are given to the City for an unspecified use.

## 3. CONSISTENCY WITH CITY INTERESTS AND CONSIDERATIONS

- A. Designated donations may only be accepted when they have a purpose consistent with the City’s strategic goals and objectives and are in the best interests of St. Helena.

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- B. The City must always consider the public trust and comply with all applicable laws when accepting donations.
- C. Before accepting a donation, consideration will be taken for the initial and future expenditures that may be required for use and maintenance of the donation. The City Manager will quantify the costs associated with both restricted and unrestricted donations before a donation is accepted. For example, possible clean-up costs of hazardous materials will be considered before real property is accepted.

#### 4. ACCEPTANCE OF UNDESIGNATED DONATIONS OF CASH OR TANGIBLE ITEMS.

All donations to the City, including offers to employees related to the City, shall immediately be submitted for consideration for acceptance. Based on the value of the donation offered as outlined below, appropriate City staff shall review every donation and determine whether the donation is consistent with the requirements of this Policy and if the benefits to be derived warrant acceptance of the donation. The following are the threshold amounts for donation acceptance.

- A. Offers of donations of cash or items valued at \$1,000 or below may be considered for acceptance by a Department Director.
- B. Offers of donations of cash or items valued more than \$1,000 and up to \$10,000 may be considered for acceptance by the City Manager.
- C. Offers of donations of cash or items valued more than \$10,000 must be considered for acceptance by the City Council. Donations valued at more than \$10,000 shall be accepted through a written agreement consistent with these guidelines and approved by the City Council. The required written agreement may be incorporated into another agreement, such as a development agreement, if the donation is made as part of a proposed development or project. The Mayor and Vice Mayor shall review such offers of donation and provide a recommendation to the City Council.
- D. Offers of donations for gratuitous purposes (e.g. holiday gift baskets, etc.) to any employee, department, or the City shall be made available to benefit all employees.
- E. Offers of donations of wine and other alcoholic beverages shall be inventoried and placed in the City's wine cellar for use at City-sponsored events or used for charitable purposes as authorized by the City Manager.

#### 5. ACCEPTANCE OF DESIGNATED DONATIONS OF CASH OR TANGIBLE ITEMS.

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Based on the value of the donation offer as outlined in Section 4, appropriate City staff or the Mayor and Vice Mayor as provided in Section 4(C), will review the conditions of any designated donation and determine if the benefits to be derived warrant acceptance of the donation. Criteria for the evaluation include but are not limited to:

- A. Consideration of whether an immediate or initial expenditure is required in order to accept the donation.
- B. The potential and extent of the City's obligation to maintain, match, or supplement the donation.

**6. ACKNOWLEDGEMENT AND ACCOUNTING OF DONATIONS.**

- A. For all donations provided to the City under \$10,000, a Donations Acceptance Form is required to be completed by the receiving Department Director, the Finance Department, or the City Manager's Office in accordance with Section 4 (A) and Section 4 (B) of this Policy (form attached). The City Manager will acknowledge all donations by signing the designated space on the Donations Acceptance Form.
- B. The City of St. Helena Finance Department is responsible for providing for the deposit and financial administration of any donation to the City. If necessary, the Finance Department shall track the proposed use of any such donation and shall maintain separate records of accounts showing receipts and disbursements if the donation is restricted.
- C. A copy of the Donation Acceptance Form will be forwarded to donors by the receiving department and to the Finance Department.
- D. Donations over \$10,000 must be accepted by the City Council in accordance with Section 4 (C) of this Policy.
- E. The Donor Acceptance Form, including donor names and donation amounts, are public information subject to disclosure pursuant to the California Public Records Act.

**7. DECLINED DONATIONS.**

- A. The City of St. Helena reserves the right to decline any donation if, upon review, acceptance of the donation offer is determined at the sole discretion of the City to not be in the best interest of the City.

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#### 8. DISTRIBUTION OF DONATION.

- A. Tangible items will be distributed to appropriate City departments for use or, at the discretion of the Department Director or City Manager, disposed of in an appropriate manner according to this policy.
- B. Donations of cash for designated donations will be deposited into the appropriate revenue account for the designated City department.
- C. Donations of cash for undesignated donations under \$5,000 will be deposited into the City's General Fund Other Revenue account. Undesignated donations in an amount of \$5,000-\$25,000 will be designated to the Non-Profit Grant Program. Undesignated donations in an amount over \$25,000 will be distributed at the direction of City Council.

#### 9. DISPOSITION

Unless restricted otherwise in writing, the City may keep, sell, or dispose of a donation.

#### 10. DISSEMINATION OF INFORMATION.

- A. A copy of each Donation Acceptance Form for accepted donations shall be forwarded to the Finance Department and the designated department for which the donations was assigned.
- B. Accepted donations above \$5,000 shall be reported to the City Council in the Grant Report presented each quarter at a City Council meeting.
- C. Each original Donation Acceptance Form shall be maintained by the City Clerk's Office.

#### 11. DONATIONS AS CHARITABLE CONTRIBUTIONS

- A. When Qualified
  - i. A donation to the City may be tax deductible as a charitable contribution if the donation is made exclusively for a public purpose as described in the IRS Code at 26 U.S.C. § 170(c)(1).
  - ii. The City does not provide legal, accounting, tax, or other such advice to donors. Each donor is ultimately responsible for ensuring the donor's proposed donation meets and furthers the donor's charitable,

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financial, and estate planning goals. As such, each donor is encouraged to meet with a professional advisor before making any donation to the City.

- iii. The City Manager will provide donors whose donations are accepted with a written statement that includes the following information required by the Internal Revenue Code 1.170A-13 and as described in IRS Charitable Contributions, Substantiation and Disclosure Requirements, Publication 1771. The City will not make a determination of whether the donation is tax deductible.
  - 1. Name of donor/Name of organization
  - 2. The amount of cash contribution
  - 3. A description (but not the value) of non-cash contribution
  - 4. Date of receipt
  - 5. A statement that no goods or services were provided by the City in return for the contribution/donation, if that was the case
  - 6. A description and good faith estimate of the value of goods or services, if any, that the City provided in return for the contribution/donation

#### 12. ACCEPTANCE OF GIFTS TO EMPLOYEES AND/OR ELECTED OFFICIALS OF THE CITY.

- A. Employees and officials of the City are required to be objective and fair in dealing with the public and persons or firms doing business with the City. Employees shall not solicit or accept gifts or gratuities for the performance of their City job responsibilities.
- B. No City official or employee shall directly or indirectly solicit, accept, or attempt to accept any money, fee, credit, gift, gratuity, object of value, or compensation of any kind which the official or employee knows, or has reason to know is being offered:
  - i. For the purpose of improperly obtaining or rewarding favorable treatment;
  - ii. With interest to influence the official or employee in the discharge of official duties;
  - iii. In consideration of having exercised official powers or performed official duties.
- C. Anonymous gifts shall be delivered to the City Manager or designee for appropriate disposition.

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- D. This policy does not prohibit a City official from accepting anything of value by way of a gift when such a gift is made to and accepted on behalf of, the City of St. Helena. All such gifts to the City shall be forwarded to the City Manager for compliance with this Policy whenever possible; the City Manager or designee will ensure that all such gifts are disposed of accordingly. An example of such gifts would be those received during holiday periods.

**IV. Forms**

- A. City of St. Helena, California Donation Acceptance Form
- B. City of St. Helena, California Donation and Gift Policy Acknowledgement

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**CITY OF ST. HELENA - DONATION ACCEPTANCE FORM**

Name of Donor: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Description of Donation: \_\_\_\_\_

\_\_\_\_\_

Donor estimate of current value: \_\_\_\_\_

Potential immediate/initial acquisition or installation cost, on-going maintenance or replacement cost:

\_\_\_\_\_

Intended use: \_\_\_\_\_

\_\_\_\_\_

Conditions of acceptance or donor designation: \_\_\_\_\_

\_\_\_\_\_

Remarks: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

City Department receiving donation: \_\_\_\_\_

APPROVED ☐      DISAPPROVED ☐

\_\_\_\_\_  
Date

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Manager Signature

\_\_\_\_\_  
Date Submitted to Council

\_\_\_\_\_  
Date Approved by Council/Resolution No.

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**CITY OF ST. HELENA - DONATION AND GIFT POLICY ACKNOWLEDGEMENT**

I have received and read the City of St. Helena Donation and Gift Policy P-FI-0020 and understand its provisions. I further understand that when I sign this acknowledgement form it will be placed in my personnel file.

\_\_\_\_\_  
Employee (PRINT name)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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## **ST. HELENA PARKS AND RECREATION COMMISSION 2022-23 Goals and Ad-Hoc Subcommittee Assignments**

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1. Revisit current Baldwin Park improvement project and work in partnership with Public Works to complete or revise existing CIP (*Taylor*)
2. Recommend a path forward to develop pickleball space in St. Helena (*Boeschen and Taylor*)
3. Support the Trails and Open Space Committee in bringing the plan forward to City Council and begin implementation process (*Deasy*)
4. Launch the Parks & Recreation Master Plan process, beginning with a community-wide needs assessment and review of existing programs (*Deasy*)
5. Complete Crane Park court lighting project (*Boeschen and Taylor*)
6. Equitable recreation - Increase participation, access, and inclusion for our Latino community (*Boeschen and Deasy*)
7. Enhance programming, events, and gathering opportunities for teens and young adults (*vacant*)

*\*Updated June 2023\**



## **ST. HELENA PARKS AND RECREATION COMMISSION 2022-23 PARK ASSIGNMENTS**

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- Michelle Deasy (Chair): Lewis Station, Jacob Meily
- *Vacant*: McCullagh, Stonebridge, Wappo
- Doug Boeschen: Crane West, Hunt Grove
- Tye Taylor: Mary Fryer, Mennen, Starr Baldwin
- *Vacant*: Crane East, Lyman

*\*Updated September 2022\**